

transportation or lodging otherwise permissible by the rules from any other person, other than a governmental entity, such Member, officer, or employee shall post on the Member's Senate website, in a clear and noticeable manner, the following:

“(A) The nature and purpose of the transportation or lodging.

“(B) The fair market value of the transportation or lodging.

“(C) The name of the person or entity sponsoring the transportation or lodging.

“(D) The city and State where the person or entity sponsoring the transportation or lodging resides.

“(E) Whether that sponsoring person is a registered lobbyist, and if so, the name of the client for whom the lobbyist is sponsoring the transportation or lodging and the city and State where the client resides.

“(2) This subparagraph shall also apply to all noncommercial air travel otherwise permissible by the rules.

“(3) Not later than 30 days after the adoption of this subparagraph, the Committee on Rules and Administration shall, in consultation with the Select Committee on Ethics and the Secretary of the Senate, proscribe the uniform format by which the postings in clauses (1) and (2) shall be established.”.

SA 51. Mr. BOND (for Mr. COBURN) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 18, between lines 3 and 4, insert the following:

SEC. 116. PROHIBITION ON FINANCIAL GAIN FROM EARMARKS BY MEMBERS, IMMEDIATE FAMILY OF MEMBERS, STAFF OF MEMBERS, OR IMMEDIATE FAMILY OF STAFF OF MEMBERS.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

“15. (a) No Member shall use his official position to introduce, request, or otherwise aid the progress or passage of a congressional earmark that will financially benefit or otherwise further the pecuniary interest of such Member, the spouse of such Member, the immediate family member of such Member, any employee on the staff of such Member, the spouse of an employee on the staff of such Member, or immediate family member of an employee on the staff of such Member.

“(b) For purposes of this paragraph—

“(1) the term ‘immediate family member’ means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of a Member or any employee on the staff (including staff in personal, committee and leadership offices) of a Member; and

“(2) the term ‘congressional earmark’ means—

“(A) a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

“(B) any revenue-losing provision that—

“(i) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986; and

“(ii) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision;

“(C) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

“(D) any provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.”.

SA 52. Mr. MARTINEZ submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STANDARDS FOR ECONOMIC DEVELOPMENT INITIATIVE EARMARKS.

Section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)) is amended by adding at the end the following:

“(5) **CRITERIA FOR CONGRESSIONAL EARMARKS.**—

“(A) **IN GENERAL.**—No amount of funds provided or made available in an earmark for purposes of funding grants under this subsection may be made available to the Secretary, unless such funds are used for 1 or more of the following purposes related to real property or public or private nonprofit facilities:

“(i) Acquisition.
“(ii) Planning.
“(iii) Design.
“(iv) Purchase of equipment.
“(v) Revitalization, reconstruction, or rehabilitation.

“(vi) Redevelopment.

“(vii) Construction.

“(B) **REPORTS.**—

“(i) **REQUIRED BEFORE DISBURSAL.**—The Secretary may not release any grant funds provided for or made available by an earmark to an eligible public entity or public or private nonprofit organization under this subsection, unless such entity or organization submits to the Secretary a report detailing the economic impact of the earmark.

“(ii) **CONTENTS OF REPORT.**—

“(I) **IN GENERAL.**—The report required under clause (i) shall be submitted by the eligible public entity or public or private nonprofit organization to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(II) **LIMITATION.**—In any report required under clause (i), the Secretary—

“(aa) shall not require the disclosure of any confidential information of the eligible public entity or public or private nonprofit organization, or of any subgrantee employed by such entity or organization; and

“(bb) shall ensure that the requirements of such report are uniform for all grants funded by an earmark within each fiscal year.

“(III) **RELEASE OF CHANGE IN REPORTING REQUIREMENTS.**—The Secretary shall publish any changes to the reporting requirements under this subparagraph in the Federal Register not later than January 1 of the year preceding the fiscal year in which such changes are to take effect.

“(iii) **AVAILABILITY.**—The Secretary shall, upon request, provide any member of Congress with a copy of any report filed under this subparagraph.

“(C) **SET ASIDE OF BUDGET AUTHORITY.**—Not less than 20 percent of the total funds made available for purposes of this section in any appropriations Act shall be made available to the Secretary, free from earmarks, such that the Secretary may award these funds, in the discretion of the Secretary, to eligible public entities or public or private nonprofit organizations under a competitive bidding process.

“(D) **DEFINITIONS.**—In this subsection:

“(i) **EARMARK.**—The term ‘earmark’ means a provision of law, or a directive contained within a joint explanatory statement or report included in a conference report or bill primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(ii) **NONPROFIT.**—The term ‘nonprofit’ means, with respect to an organization, association, corporation, or other entity, that no part of the net earnings of the entity inures to the benefit of any member, founder, contributor, or individual.

“(iii) **PRIVATE NONPROFIT ORGANIZATION.**—The term ‘private nonprofit organization’ means any private organization (including a State or locally chartered organization) that—

“(I) is incorporated under State or local law;

“(II) is nonprofit in character; and

“(III) complies with standards of financial accountability acceptable to the Secretary.

“(iv) **PUBLIC NONPROFIT ORGANIZATION.**—The term ‘public nonprofit organization’ means any public entity that is nonprofit in character.”.

SA 53. Mr. MARTINEZ submitted an amendment intended to be proposed to the language proposed to be stricken by amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STANDARDS FOR ECONOMIC DEVELOPMENT INITIATIVE EARMARKS.

Section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)) is amended by adding at the end the following:

“(5) **CRITERIA FOR CONGRESSIONAL EARMARKS.**—

“(A) **IN GENERAL.**—No amount of funds provided or made available in an earmark for purposes of funding grants under this subsection may be made available to the Secretary, unless such funds are used for 1 or more of the following purposes related to real property or public or private nonprofit facilities:

“(i) Acquisition.

“(ii) Planning.

“(iii) Design.

“(iv) Purchase of equipment.